

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL SCHAFFER,

No. 06-0310 MMC

Plaintiff

v.

**ORDER DENYING AS PREMATURE
WENDELL BULLOCK'S REQUEST FOR
CLASS PARTICIPATION AND
INCLUSION; DIRECTIONS TO CLERK**

COUNTY OF ALAMEDA, et al.,

Defendants

By Order and Judgment of Dismissal, filed November 26, 2007, the Court approved a settlement of the above-titled class action. The settlement approved by the Court provides that "[t]o receive payment [a class member] shall be required to submit to the Administrator an executed Claim Form, signed under penalty of perjury." (See Amended Stipulation of Settlement, filed June 18, 2007, at 15:14-15.)

The Court is in receipt of Wendell Bullock's ("Bullock") "Request for Class Participation and Inclusion," filed February 29, 2008, in which Bullock represents that he filed with the County of Alameda ("County") a tort claim seeking individual relief from the County on the basis of strip searches to which he was subjected, that such tort claim was denied,¹ and that the County "directed" him to "submit [a] request for inclusion" to the

¹According to an exhibit attached to the motion, Bullock's tort claim was denied because it was not filed with the County within one year of the date of accrual of the claim, as required by the California Government Code. Attached to the denial is a "Notice Concerning Strip Search Lawsuit," in which reference is made to the instant action.

1 District Court. Specifically, Bullock states: "I request to be included as a Participant in this
2 action."

3 Bullock does not state that he submitted an executed Claim Form to the claims
4 Administrator, much less that the Administrator denied any such claim. Consequently, the
5 instant motion is premature.

6 Accordingly, the motion is hereby DENIED, without prejudice to Bullock's submitting
7 an executed Claim Form to the Administrator.

8 The Clerk is hereby DIRECTED to send Bullock a Claim Form.

9 **IT IS SO ORDERED.**

10
11 Dated: July 14, 2008


MAXINE M. CHESNEY
United States District Judge